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3 RESOLUTION NO. R-73-09-23  
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5 RESOLUTION NO. R-68-73

6 A RESOLUTION REGARDING LACK OF PUBLICATION  
7 OF NOTICE ON CERTAIN ORDINANCES HERETOFORE  
8 PASSED BY COMMON COUNCIL.

9 WHEREAS, Bill No. G-72-03-10 enacted into General Ordinance  
10 G-05-72 regarding the seal of the City of Fort Wayne erroneously  
11 provided in Section 3 thereof that said Ordinance should be in  
12 full force and effect from and after its passage, signature by  
13 the Mayor and legal publication thereof; and

14 WHEREAS, Bill S-72-02-20 enacted into Special Ordinance  
15 S-19-72 creating the Fort Wayne Economic Development Commission  
16 erroneously provided in Section 4 thereof that said Ordinance  
17 should be in full force and effect from and after its passage,  
18 signature by the Mayor and legal publication thereof; and

19 WHEREAS, neither General Ordinance G-05-72 nor Special  
20 Ordinance S-19-72 required legal publication in order to  
21 make said Ordinances in full force and effect; and

22 WHEREAS, the Clerk of the City of Fort Wayne, Indiana in  
23 neither instance of General Ordinance G-05-72 nor Special Or-  
24 dinance S-19-72 did cause legal publication thereof and said  
25 action of said Clerk was in all respects correct; and

26 WHEREAS, said General Ordinance G-05-72 and Special  
27 Ordinance S-19-72 are in fact without said legal publication  
28 in full force and effect.

29 NOW, THEREFORE, in order that the record may be clearly stated,

30 BE IT RESOLVED: That legal publication of  
31 notice was not required for either General  
32 Ordinance G-05-72 or Special Ordinance S-19-72  
33 and that said Ordinances are in full force  
34 and effect without said legal publication.

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John Nichols  
Councilman

Approved as to legality and form  
this 24 day of September, 1973.

John H. Logan, Attorney for Common  
Council.

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: \_\_\_\_\_

CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~LOST~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	✓	_____	_____	_____	_____
HINGA	✓	_____	_____	_____	_____
KRAUS	✓	_____	_____	_____	_____
MOSES	✓	_____	_____	_____	_____
NUCKOLS	✓	_____	_____	_____	_____
SCHMIDT, D.	✓	_____	_____	_____	_____
SCHMIDT, V.	✓	_____	_____	_____	_____
STIER	✓	_____	_____	_____	_____
TALARICO	✓	_____	_____	_____	_____

DATE: 9/25/73

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. R-68-73 on the 25th day of September, 1973.

ATTEST: (SEAL)

Charles W. Hesterman  
CITY CLERK

Winfield C. Moore Jr.  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1973, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Hesterman  
CITY CLERK

Approved and signed by me this 26th day of September, 1973, at the hour of 2:00 o'clock P. M., E.S.T.

James A. Leland  
MAYOR

REQUEST FOR ACTION

To: City Attorney David B. Keller  
or  
Associate City Attorney \_\_\_\_\_

From: (Name, Title & Department) Common Council

Approved by *James H. Logan* Attorney for Common Council  
(Person authorized to forward legal work)

Date: September 24, 1973

Subject: Resolution regarding lack of publication notice on certain Ordinances  
heretofore passed (File subject designation)

\*\*\*\*\*

File # Assigned by Records Librarian

3238

Date: September 24, 1973

\*\*\*\*\*

Action Requested: Passage of Resolution regarding lack of legal publication  
on Ordinances already passed.

\_\_\_\_\_  
(Continue on reverse side, if necessary)

cc: City Attorney David B. Keller  
(If request originally sent to an Associate City Attorney)  
Mayor Ivan A. Lebamoff  
Department Head of Requesting Party

DIGEST SHEETR-73-09-23TITLE OF ORDINANCE A RESOLUTION regarding Lack of publication of Notice  
on certain Ordinances heretofore passed by Common Council.DEPARTMENT REQUESTING ORDINANCE Attorney for Common CouncilSYNOPSIS OF ORDINANCE RESOLUTION regarding lack of publication of notice on  
Certain Ordinances heretofore passed by Common Council.

EFFECT OF PASSAGE \_\_\_\_\_

EFFECT OF NON-PASSAGE Failure in clearing passage.MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Savings of Legal Publication  
feesASSIGNED TO COMMITTEE (PRESIDENT) Regulations

# ORDINANCE CHECK-OFF SHEET

## INFORMATION REGARDING ORDINANCE

## CONTENTS OF ORDINANCE

BILL NO.	<i>9-73-09-23</i>
ORDINANCE NO.	<i>9-68-73</i>
<input checked="" type="checkbox"/> REGULAR SESSION	<i>9-25-73</i>
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>Lujan</i>
BILL WRITTEN BY	<i>Building for Council</i>
DATE INTRODUCED	<i>9-25-73</i>
REFERRED TO SAID STANDING COMMITTEE	<i>Regulation</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
<input checked="" type="checkbox"/> PASS	<i>9-25-73</i>
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

<input checked="" type="checkbox"/>	COMMITTEE SHEET
<input checked="" type="checkbox"/>	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

*Original check & Request for action*

### COUNCILMAN'S VOTE

	?		
	AYES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS: